

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

KRISTOFFER KYLE LEWIS and
NOLAN SCOTT LEWIS, Individually
and as co-Administrators for the
Estate of Ronald Clyde Lewis,
deceased

PLAINTIFFS

v.

NO. 5:07CV00163 JMM/HDY

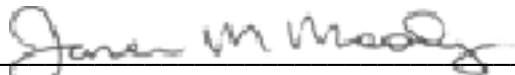
LARRY NORRIS, Individually and as
the Director of the Arkansas Department
of Correction; WAYNE SMITH, Individually
and as the Warden of the Southwest
Arkansas Community Correction Facility;
GEORGE HUNSA, Individually and as the
Assistant Warden of the Southwest
Arkansas Community Corrections Facility;
DAVID GUNTARP, Individually and as the
Internal Affairs Investigator for the Arkansas
Department of Correction and as the
Director of the Department of Community
Correction; DONNA STONE, Individually
and as Health Services Administrator of
the Arkansas Department of Correction
Hospital; RONNIE GOFF, Individually and as
an Arkansas Department of Correction
Psychological Examiner II; and DELLA CHURCH,
Individually and as an Arkansas Department of
Correction Correctional Officer

DEFENDANTS

ORDER

Plaintiffs Kristoffer Kyle Lewis and Nolan Scott Lewis have filed the pending motion to dismiss without prejudice defendant Vicki Bybee ("Bybee"). See Document 28. In the motion, they ask to voluntarily dismiss her because "[she] was not serving in the position of Health Services Administrator at the time of the incident giving rise to this cause of action." See Document 28 at 1.¹ The attorney representing Bybee has been contacted about the motion, and he has no objection to it. The motion is therefore granted. Bybee is dismissed without prejudice from this proceeding.

IT IS SO ORDERED this 16 day of January, 2008.


UNITED STATES DISTRICT JUDGE

1

It is also worth noting that when the plaintiffs filed their amended complaint, they substituted defendant Donna Stone for Bybee. See Document 25.